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Permanent Forum on Indigenous Issues
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Items 3, 4 and 7 of the provisional agenda*

Discussion on the special theme for the year: "Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples"

Human rights

Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues

Ongoing priorities and themes

Note by the secretariat

Summary

The present note provides an overview of developments under the mandated areas of the United Nations Permanent Forum on Indigenous Issues since its eighth session. The report highlights relevant activities and priorities that have been gleaned from various reports of the United Nations system and other intergovernmental organizations as well as activities and reports from members of the Permanent Forum and from the secretariat.

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I. Introduction

1. At its eighth session in 2009, the United Nations Permanent Forum on Indigenous Issues focused on the implementation of its recommendations of previous sessions in the areas of (a) economic and social development, (b) indigenous women, and (c) the Second International Decade of the World's Indigenous People. The secretariat of the Permanent Forum submitted analytical reports on the above three areas to assist in the assessment of implementation of the recommendations of the Permanent Forum. As part of its new methods of work, the Forum also held in-depth dialogues with six United Nations agencies (Food and Agriculture Organization of the United Nations (FAO), International Fund for Agriculture Development (IFAD), Office of the United Nations High Commissioner for Human Rights (OHCHR), Department of Economic and Social Affairs of the Secretariat of the United Nations, United Nations Development Programme (UNDP) and United Nations Population Fund (UNFPA)) and issued recommendations. The Permanent Forum will continue to focus on implementation of its recommendations at its tenth session in 2010.

2. In October 2009, the Department of Economic and Social Affairs invited written contributions from the United Nations system and other intergovernmental organizations, Member States and non-governmental organizations (NGOs) on the theme of the Permanent Forum and also on the implementation of the recommendations of the Permanent Forum. As of 31 January 2010, written submissions had been received from 14 United Nations and other intergovernmental entities (African Development Bank, United Nations Children's Fund (UNICEF), United Nations Secretariat Department of Political Affairs, Department of Public Information, Division for the Advancement of Women of the Department of Economic and Social Affairs, Office of Legal Affairs, Economic Commission for Latin America (ECLAC), European Commission, FAO, International Labour Organization (ILO), IFAD, International Organization for Migration (IOM), Secretariat of the Convention on Biological Diversity, World Food Programme (WFP)), six Member States (Plurinational State of Bolivia, Burkina Faso, Cambodia, Denmark, Mexico, Paraguay), and one NGO in consultative status with the Economic and Social Council (International Work Group for Indigenous Affairs). The African Development Bank provided a submission to the Forum for the first time, a welcome development demonstrating the increasing engagement of international financial institutions with the Forum.

Some obstacles identified by United Nations agencies and Member States

3. A number of reports from Member States, intergovernmental agencies, funds and programmes identified obstacles in the implementation of norms and policies on indigenous peoples' issues. These obstacles include: (a) lack of funding and core resources for the implementation of programmes; (b) lack of disaggregated data at the national and local levels in order to improve the planning process; (c) lack of an explicit mandate to work on indigenous issues; (d) difficulty of implementing some recommendations of the Permanent Forum that may require the activation of formal procedures. One agency suggested that, in order to overcome the latter obstacle, the communication between the Permanent Forum and agencies could be further strengthened through a variety of means, including through Forum members and agencies consulting before finalizing specific recommendations.

Some trends

4. From the reports submitted this year, a number of trends are emerging.

(a) An increasing number of United Nations and other intergovernmental organizations are developing guidelines and policies on indigenous issues. In 2008 and 2009 such policies were adopted by the European Bank for Reconstruction and Development and by IFAD, as well as the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries. Currently, there are continuing efforts in that direction in UNICEF, FAO and IOM.

(b) There are increasing efforts for technical capacity-building on indigenous issues for United Nations staff and government officials at Headquarters as well as at the country level, including by IOM, ILO, the Department of Economic and Social Affairs and at the bilateral level.

(c) There are more country-level efforts to implement programmes on indigenous peoples' issues.

Studies to be submitted at the ninth session of the Permanent Forum on Indigenous Issues

5. A record number of studies completed by members of the Forum appointed as Special Rapporteurs will be before the Forum in 2010, namely:

(a) The impacts of the global economic crisis on indigenous peoples; identification of measures and proposals for Governments and United Nations bodies, agencies, funds and programmes to address the impacts (Victoria Tauli-Corpuz);

(b) Indigenous peoples and corporations (Elisa Canqui, Carlos Mamani and Pavel Sulyandziga);

(c) Study to determine whether climate change policies and projects adhere to the standards in the Declaration on the Rights of Indigenous Peoples (Paimaneh Hastaie and Hassan Id Balkassm);

(d) Indigenous fishing rights in the seas (Michael Dodson and Carsten Smith);

(e) Mother Earth rights (Bartholome Clavero and Carlos Mamani);

(f) Preliminary study on the impact of the international legal construct known as the Doctrine of Discovery on Indigenous Peoples that has served as the foundation for the violation of their human rights (Tonya Gonnella Frichner);

(g) Study to determine the impact of climate change adaptation and mitigation measures on reindeer herding (Lars-Anders Baer);

(h) Indigenous Peoples and Boarding Schools: A Comparative Study (this study was conducted by Andrea Smith, an outside expert).

6. These studies are relevant for various items in the agenda of the Forum, including the special theme of the year. Recent developments presented below under a specific theme may be relevant under other themes, given the interconnectedness of the mandated and other themes considered by the Permanent Forum.

II. Developments under the mandated areas and special themes of the Permanent Forum, including the Millennium Development Goals

A. Economic and social development

7. Economic and social development has always been a major area of concern for indigenous peoples. While development paradigms are often conceived in strictly economic terms and have often resulted in the destruction of indigenous governance, economic, social, education, cultural and spiritual and knowledge systems and natural resources, there is increasing realization of the need to consider alternative forms and concepts of development. The challenge remains for indigenous peoples to develop their own paradigms based on the United Nations Declaration on the Rights of Indigenous Peoples. There needs to be a concept of development with culture and identity that reflects indigenous peoples' own visions, perspectives and strategies, that respects their individual and collective rights and is self-determining, sensitive and relevant to their situation and communities.

8. The special theme of the Permanent Forum's ninth session is Indigenous peoples: development with culture and identity; articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples. This theme was also the topic for the International Expert Group Meeting held at United Nations Headquarters from 12 to 14 January 2010. Indigenous experts from the seven Permanent Forum regions as well as Permanent Forum members Victoria Tauli-Corpuz, Carlos Mamani, Tonya Gonnella Frichner and Pavel Sulyandziga were invited to give presentations. The workshop was attended by observers from the United Nations system and other intergovernmental organizations, NGOs and Member States. The report of the workshop is one of the documents of the current session. A contribution to the special theme of the Permanent Forum 2010 session is made by the Inter-Agency Support Group on Indigenous Peoples' Issues.

9. In January 2010 Permanent Forum members also participated in a workshop hosted by UNDP to discuss the concept of human development as well as contribute to the Human Development Report of 2010, which will deal with "rethinking development". In addition, Permanent Forum members have been actively involved in various aspects of development issues related to corporations, including extractive industries.

10. At its seventh session, the Permanent Forum appointed three of its members, Elisa Canqui Mollo, Carlos Mamani Condori and Pavel Sulyandziga, as Special Rapporteurs to conduct a study on indigenous peoples and corporations. A note by the Special Rapporteurs on their work appears in document E/C.19/2010/9.

2009 desk reviews of Human Development Reports

11. The 2009 desk review of Human Development Reports examines the extent to which indigenous peoples' issues are included in Human Development Reports from eight countries (Cambodia, Ghana, Kenya, Russian Federation, Rwanda, United Republic of Tanzania, Thailand, Uganda), one region (Asia Pacific), and one subregion (Niger Delta), and whether these Human Development Reports include analyses of indigenous peoples' development status in the context of the Millennium Development Goals. The following are some general conclusions:

(a) Except for Cambodia, the Reports that were reviewed have very little information on the state of human development of indigenous peoples, despite the fact that many face serious challenges in terms of development and human rights;

(b) None provided disaggregated data in the context of the Millennium Development Goals;

(c) In the case of the African countries and Thailand, indigenous peoples were not explicitly mentioned in the Reports, except as part of the collective poor and marginalized groups;

(d) In the context of the Millennium Development Goals, extreme poverty and high incidences of infant and maternal mortality seem to be the most pressing problems in indigenous communities, which are due to a number of factors, such as inadequate access to land, health services, safe drinking water, and natural resources — the most common causes of poverty and mortality among indigenous peoples;

(e) Land rights issues and disputes over ownership of land are a major concern for many indigenous peoples in the countries and regions reviewed. References to indigenous peoples were made when the Reports address land issues, particularly in the Cambodia and Nigeria Reports;

(f) Marginalization, discrimination and exclusion of indigenous peoples, although vaguely addressed except in the 2007 Ghana Report, are the most persistent social issues in all the countries reviewed;

(g) None of the Human Development Reports that were reviewed clearly indicate whether indigenous peoples participated, or were solicited to participate, in the preparation of the Reports.

12. The Human Development Reports have presented sound policy recommendations and delineated action-oriented efforts to combat major hurdles in human development and to achieve the Millennium Development Goals. Several of these recommendations have the potential to significantly benefit indigenous peoples. However, targeted measures to specifically improve the quality of life of indigenous peoples, and the recognition and protection of their rights, have not been fully addressed in the Reports. The following are recommendations for future Human Development Reports:

(a) Human Development Reports should highlight and include the plight of indigenous peoples, who are among the most marginalized groups in society and often the victims of development, as exemplified in the 2007 Cambodia Report;

(b) In order to properly identify the development challenges that indigenous peoples face, as well as the role they can play in the achievement of the Millennium Development Goals, their inclusion and participation in the preparation of Human Development Reports is imperative;

(c) Future country reports should include a comprehensive section on the poorest performing provinces or subregions and present disaggregated data in order to identify the specific populations that are clear outliers in terms of progress in human development;

(d) As a matter of urgency, major efforts are required in all the countries reviewed to properly implement poverty eradication plans targeted to benefit the poorest populations, including indigenous peoples;

(e) Huge efforts are needed to bring down child and maternal mortality rates, particularly in the African countries where HIV/AIDS, malaria, tuberculosis, and other communicable diseases are rife and are a constant threat to indigenous peoples living in abject poverty, with little or no health care at their disposal;

(f) For the countries reviewed, strong development partnerships that include national Governments, NGOs, bilateral and multilateral agencies, and other key stakeholders are necessary to help achieve Millennium Development Goal targets and human development goals.

2010 desk reviews of Millennium Development Goals country reports, and Common Country Assessment/United Nations Development Assistance Framework

13. In 2010 the secretariat of the Permanent Forum conducted desk reviews of five Millennium Development Goals country reports (Bangladesh, the Plurinational State of Bolivia, Chile, El Salvador, Namibia), one CCA (Guatemala) and three UNDAFs (Botswana, Nicaragua, Venezuela). The nine documents examined this year offer important information regarding development status, plans and challenges in the respective countries. However, the disparate level of attention to indigenous peoples and indigenous issues remains a challenge.

(a) The reports from Guatemala and the Plurinational State of Bolivia provide good examples of the mainstreaming and incorporation of indigenous peoples and issues, including the use of disaggregated data and a focus on indigenous peoples in all areas of development planning. The report from Venezuela also makes direct reference to indigenous peoples in several contexts.

(b) Reference to indigenous peoples in Millennium Development Goals country reports (Bangladesh, Bolivia and Chile) most often do so in the context of extreme poverty, gender equality and empowerment of women, child mortality and maternal health (Millennium Development Goals 1, 3, 4 and 5). The rate of poverty among indigenous peoples is reportedly far higher than either national or non-indigenous rates. However, the report from Chile shows that the rate of extreme poverty for indigenous peoples has decreased from 11 per cent in 1990 to 4.7 per cent in 2001. With regard to Millennium Development Goal 3 (gender equality and empowerment of women), the gap between men and women remains in indigenous communities despite some success in closing the educational gap. Regarding Millennium Development Goals 4 and 5 (child mortality and maternal health), the results in indigenous communities tend to be worse than those in non-indigenous areas. For Millennium Development Goal 5, professional attendance at birth is lower in areas with larger indigenous populations.

(c) The CCA for Guatemala highlighted the following priority problems relevant to indigenous peoples: (i) high prevalence of chronic malnutrition among those under 5 years of age and the deterioration in food security; (ii) inequality and exclusion in access to social services, asymmetries in economic opportunities; (iii) lack of mechanisms and spaces for full political participation.

(d) Only the UNDAF document for Venezuela recognized the need to address indigenous issues and efforts to build the capacity in indigenous communities to engage effectively with government and policy actors.

(e) A common challenge facing countries in relation to the Millennium Development Goals and indigenous peoples appears to be the relevance of addressing the development needs of minority populations. In countries where indigenous peoples make up a small minority, it is perhaps possible to marginalize them further when implementing development policies. The cultural and linguistic barriers that indigenous peoples face increase this risk, as contextualized and directed policies are often needed to realize the aims of the Millennium Development Goals in relation to indigenous peoples. Given the inherent costs and difficulties of developing such programmes as mother-tongue instruction for small demographics, there is the risk that Governments will choose programmes aimed at larger groups in order to improve their national-level results.

(f) In indigenous-majority countries such as the Plurinational State of Bolivia, the need to squarely address indigenous issues is more obvious, for it would be nearly impossible to successfully reach the Millennium Development Goals without addressing the situation of indigenous peoples in such countries. For indigenous-minority countries such as Bangladesh, however, it is clear that further efforts are needed to mainstream indigenous issues and emphasize the importance of an equal share in the benefits of Millennium Development Goals-related development across all segments of the population, including indigenous peoples.

(g) For future reports, the direct participation of indigenous peoples and indigenous peoples' groups should be encouraged by Governments, beginning from the planning and preparation process.

(h) This review recommends that the free, prior and informed consent of indigenous peoples should be sought in all development initiatives that involve them. Indigenous peoples cannot be simply objects of study or targets of development projects, no matter how well intended, but must be active participants in policy planning, implementation and review. Even the use of disaggregated data may in some instances be insufficient to understand the true scope of problems or the actual impact of particular programmes.

(i) Finally, this review reiterates the previous recommendations of similar reviews that Governments should improve the collection and disaggregation of data regarding Indigenous peoples.[1]

Development Account

14. The Development Account project entitled "Engaging indigenous women: local government capacity-building through new technologies in Latin America" was completed in 2009. A number of activities and capacity-building exercises were organized by the participating indigenous organizations in the Plurinational State of Bolivia, Ecuador and Peru. These activities were primarily aimed at empowering indigenous women to participate in decision-making processes that affect them, focusing on their right to receive and produce information in their own languages and cultural context. Furthermore, three indigenous organizations, in cooperation

[1] For the full text of the desk reviews, see www.un.org/esa/socdev/unpfii.

with local government, produced a wide range of informational materials for indigenous women, including radio and television programmes, web pages and magazines. The three indigenous organizations hosted their final workshops in November and December 2009, reviewing the whole project and evaluating the sustainability of the work.

B. Environment

15. Climate change continues to dominate the work of the Permanent Forum owing to threats and dangers to the survival of indigenous communities from the impacts of climate change. Indigenous peoples have also raised concerns about adaptation and mitigation policies that may affect their lands, territories and resources. Indigenous peoples continue to call for their inclusion in the formation and implementation of climate change policies at the national and international levels and for the compliance of such policies and laws with indigenous peoples' rights as set out in the United Nations Declaration on the Rights of Indigenous Peoples and other human rights instruments.

16. Throughout 2009 Permanent Forum members, along with many indigenous peoples, participated in a number of important climate change meetings, such as the Indigenous Peoples' Global Summit on Climate Change in Anchorage, Alaska, as well as the United Nations Framework Convention on Climate Change Climate Change Talks in Bonn and Bangkok in the lead up to the 15th Conference of the States Parties to the Framework Convention, which was held in Copenhagen in December 2009.

17. In March,2010, the Fifth World Urban Forum will take place in Rio de Janeiro, Brazil, with the theme The Right to the City — Bridging the Urban Divide. The World Urban Forum will include a round table on indigenous peoples, focusing on the particular vulnerability of indigenous peoples to discrimination in their access to housing, on their being hindered from fully participating in the social, political and economic spheres of the city. The round table is expected to discuss environmental challenges, notably the effects of climate change on indigenous peoples' traditional territories. Climate change is likely to have significant negative impacts on shelter and livelihoods of indigenous peoples, contributing to their increased migration to urban areas.

18. An important area that will be discussed during the ninth session of the Permanent Forum is a study submitted by two Permanent Forum members on indigenous peoples' fishing rights. The comprehensive study includes an analysis of the potential protection of indigenous fishing rights in the seas provided by the existing international framework (E/C.19/2010/2).

C. Education

19. At its eighth session and during the half-day discussion on the Arctic region, the Permanent Forum recommended that the Arctic Council formally engage with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Environment Programme (UNEP) to jointly follow up on the International Expert Meeting on Climate Change and Arctic Sustainable Development: scientific, social, cultural and educational challenges. The Forum also

recognized the particular challenges that indigenous peoples of the Arctic face regarding education.[2]

20. Also during the eighth session, UNESCO reported on a recently completed project on engaging indigenous communities in several African States on the ways in which their cultural heritage and traditional knowledge can be applied to education for a sustainable future. UNESCO also reported on the elaboration of a 2008 concept paper entitled *Inclusive Dimensions of the Right to Education*, which is a valuable contribution to the integration of the United Nations Declaration on the Rights of Indigenous Peoples among the body of legal instruments that are taken into account when promoting the right to education.

21. In 2009, the secretariat of the Permanent Forum submitted to the Forum at its request an expert study entitled Indigenous Peoples and Boarding Schools: A Comparative Study.[3] It provides a historical overview of boarding schools, including their ideologies and practices as well as their worldwide locations. It also focuses on current boarding school practices and their purposes for remaining active for indigenous children. At its eighth session, the Permanent Forum welcomed the study and requested that it be made available as a document of the ninth session.

22. Pursuant to Human Rights Council resolutions 6/36 and 9/7 the Expert Mechanism on the Rights of Indigenous Peoples completed the "Study on lessons learned and challenges to achieve the implementation of the right of indigenous peoples to education". The Permanent Forum recognizes that the right to education is a key to achieving equitable outcomes for indigenous peoples. The secretariat of the Permanent Forum contributed to the Expert Mechanism on the Rights of Indigenous Peoples study and focused on a rights-based approach to indigenous peoples' right to education, and key recommendations by the Permanent Forum.

D. Health

23. Lack of access to health service remains a critical issue for indigenous peoples in both developing and developed Member States. Indigenous peoples face disproportionate rates in relation to treatable diseases and illnesses, including tuberculosis. Permanent Forum members have participated in the Assembly of First Nations' Stop TB Initiative with Permanent Forum member Elisa Canqui attending further workshops of the Stop TB initiative in Rio de Janeiro in March 2009 and in Cancun in December 2009.

24. The World Health Organization (WHO) is a member of the Inter-Agency Support Group on Indigenous Peoples' Issues and will host the annual meeting of the Group in 2010 in Geneva. WHO also participated in the training of trainers on indigenous peoples' issues that was organized by the secretariat of the Forum and the International Training Centre of the ILO in Turin, Italy, in June 2009.

25. In August 2009, the Johns Hopkins University Center for American Indian Health held its Indigenous Summer Research Institute programme in New York City. The secretariat of the Permanent Forum collaborated with the University to organize

[2] See *Official Records of the Economic and Social Council, 2009, Supplement No. 23* (E/2009/43-E/C.19/2009/14).

[3] E/C.19/2009/CRP.1).

a one-day session on the issue of indigenous peoples and health, which was held on 21 August 2009 at United Nations Headquarters.

E. Culture

26. Culture forms the very basis for indigenous peoples' survival and well-being. Despite multiple threats, indigenous peoples' cultures continue to be dynamic and evolving. Culture is an important part of development because it forms the basis of understanding of peoples and societies. It is a progressive repository of wisdom, experience, knowledge, exchange, solidarity and ways of living together. In this way, indigenous peoples' culture becomes a key to decode the present and shape the future. Cultural diversity has a place in society and is one of the sources of development, as stated in the 2001 UNESCO Declaration,[4] understood not simply in terms of economic growth, but also as a means to achieve a more satisfactory intellectual, emotional, moral and spiritual existence.

27. The legal underpinnings of development with culture and identity are traced in a number of UNESCO and other human rights international instruments. UNESCO has given particular attention to the linkages between culture, development and identity through UNESCO instruments, such as the 2001 UNESCO Universal Declaration, the 2003 Convention for Safeguarding the Intangible Cultural Heritage and the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The main human rights treaties, including the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and others, as well as the United Nations Declaration on the Rights of Indigenous Peoples clearly make the link between culture, human rights and development.

28. The United Nations Declaration emphasizes the rights of indigenous peoples to maintain and strengthen their own institutions, cultures and traditions and to pursue their development in keeping with their own needs and aspirations. The Declaration states that indigenous peoples and individuals are free and equal to all other peoples and individuals, and that they have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin and identity. Two normative pillars of the Declaration underpin development with culture and identity: the set of rights defining indigenous peoples' effective participation, and the set of rights defining indigenous peoples' cultural rights.

29. Respect for the cultural rights of indigenous peoples is a sine qua non of development with culture and identity. At least 17 articles of the United Nations Declaration outline the cultural rights of indigenous peoples, which are also stipulated in other international human rights instruments and further developed through the interpretation of international law by international courts and the international human rights bodies.

30. At its forty-third session, in 2009, the Committee on Economic, Social and Cultural Rights adopted General Comment No. 21 on the right to participate in cultural life. The General Comment specifically mentions indigenous peoples, indicating that States parties should take measures to guarantee that the exercise of the right to take part in cultural life takes due account of the values of cultural life,

[4] UNESCO Universal Declaration on Cultural Diversity article 3.

which may be strongly communal or which can only be expressed and enjoyed as a community by indigenous peoples.[5] It also mentions that indigenous peoples have the right to act collectively to ensure respect for their right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, and that States parties should respect the principle of free, prior and informed consent of indigenous peoples in all matters covered by their specific rights.[6]

F. Human rights

31. Since its adoption, the promotion and implementation of the United Nations Declaration have been fundamental to the work of the Permanent Forum. At its seventh session, in 2008 — the first session since the adoption of the Declaration — the Permanent Forum stated its commitment to making it a living document throughout its work. The Permanent Forum also affirmed the Declaration as its legal framework and its intention to ensure that the Declaration is integrated into its own recommendations on its substantive mandated areas, as well as in the Forum's work under the special theme for each session and in its ongoing themes and priorities.

32. The Permanent Forum is specifically mentioned in article 42 of the United Nations Declaration as having a responsibility to promote full implementation of the Declaration. In January 2009, the Forum held an expert group meeting to discuss the ways in which it should address its mandate under article 42.

33. At its eighth session, the Permanent Forum placed a major focus on discussing how it will discharge its mandate under article 42. The Forum recommendations included an invitation to Member States to provide the Forum with substantive information on the implementation of the Declaration and an assessment of the effectiveness of the Declaration at the national and local levels. The Forum also recommended that Member States provide adequate information on the implementation of the Declaration in their core reports to the human rights treaty bodies and that they consult with indigenous peoples in a manner that fully respects their obligations under the Declaration. It also requested that the Secretary-General provide adequate human and financial resources for the purpose of meeting the requirements of articles 41 and 42 of the Declaration as they apply to the Permanent Forum.

34. In addition to its recommendations to Member States and the United Nations, at its eighth session, the Permanent Forum also adopted General Comment No. 1 (2009) on article 42 of the Declaration on the Rights of Indigenous Peoples. The commentary, inter alia, explores the legal character of the United Nations Declaration as well as the obligations of the Permanent Forum under article 42.

35. On the basis of an invitation from the Governments of Paraguay and the Plurinational State of Bolivia, the Forum undertook a mission to the Chaco region of both countries in April and May 2009. The purpose of the mission, which was supported by staff participation from FAO, ILO, OHCHR, the Department of Economic and Social Affairs and UNDP, was to address the situation of forced

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[5] E/C.12/GC/21, see in particular paras. 36-37.

[6] See Declaration on the Rights of Indigenous Peoples, art. 1. See also ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169).

labour of indigenous peoples living in the Chaco region. The mission, which was the first of its kind for the Permanent Forum, also sought to encourage effective cooperation at the country level among all actors, including the Governments, United Nations agencies and indigenous organizations and peoples, to lead to the speedy elimination of forced labour practices. The Permanent Forum has invited the Governments of the Plurinational State of Bolivia and Paraguay to report at the ninth session regarding their implementation of recommendations contained in the reports of the mission.

36. The implementation of the United Nations Declaration is a shared area of interest for the Forum, the Special Rapporteur on the human rights and fundamental freedoms of indigenous peoples and the Expert Mechanism of the Rights of Indigenous Peoples. A number of steps have been taken in the past year to ensure that these three mandates act in a coordinated manner to best promote the implementation of the Declaration. A member of the Permanent Forum, Carlos Mamani, attended the second session of the Expert Mechanism, held at Geneva from 10 to 14 August 2009. The Forum also submitted a contribution to the Expert Mechanism's study on lessons learned and challenges to achieve the implementation of the right of indigenous peoples to education.[7] The Special Rapporteur and a representative of the Expert Mechanism also participated in the eighth session of the Permanent Forum. The secretariat of the Forum and OHCHR organized a meeting of the three mandates and their secretariats. The meeting focused on coordination and cooperation and it was agreed that such meetings will continue to take place annually.

Disability

37. In accordance with article 34 of the Convention on the Rights of Persons with Disabilities, the first session of the Committee on the Rights of Persons with Disabilities took place in February 2009. Twelve members, elected at the first session of the Conference of States Parties, were inducted into the Committee.

38. The work of the Inter-Agency Support Group on Disability is important to the work of both the secretariat of the Forum and the secretariat of the Convention on the Rights of Persons with Disabilities. The two secretariats have agreed to exchange information and contribute to each other's work in particular in terms of bringing the normative framework of the United Nations to United Nations country teams within the UNDG framework.

G. Awareness-raising, information and production of material and events

39. The secretariat of the Permanent Forum on Indigenous Issues organized or co-organized 19 events, including multi-stakeholder events in 2009. In addition, during the eighth session of the Forum, the Forum secretariat coordinated more than 60 side events, organized by indigenous peoples' organizations, non-governmental organizations and United Nations agencies and funds.

40. At the commemoration of the International Day of the World's Indigenous People at United Nations Headquarters on 9 August 2009,[8] a panel discussion,

[7] A/HRC/EMRIP/2009/2.

[8] The event was held on Monday, 10 August, as the International Day itself was on a Sunday.

entitled "Indigenous Peoples and HIV/AIDS", as well as a cultural event was organized. Messages for the Day were issued by the Secretary-General, the Under-Secretary-General for Economic and Social Affairs and the Coordinator of the Second International Decade of the World's Indigenous People, and the Chairperson of the Permanent Forum, among others.

41. The secretariat of the Permanent Forum on Indigenous Issues continues to maintain a robust web presence in English and Spanish, while seeking to improve and expand on its content in other languages. A Forum web page was opened in 2009 in Chinese, which contains information about the Permanent Forum, its mandate and history in addition to information about the Forum's sessions. The secretariat of the Forum, in cooperation with the United Nations Secretariat Department of Public Information, has sought to increase the dissemination of the United Nations Declaration on the Rights of Indigenous Peoples by supporting the translation of the Declaration into different languages. The Forum secretariat maintains a web page with a growing number of translations of the Declaration.[9]

Materials produced

42. The Permanent Forum secretariat has released various information and specialist materials and publications which can also be found on its website. Some of the recent publications include:

(a) *Human Development Reports and Indigenous Peoples: A Desk Review*.[10] A 2009 review of recent Human Development Reports and the extent to which indigenous peoples' issues are addressed, included or promoted.

(b) The right to food and indigenous peoples, a joint brief prepared by FAO and the Forum secretariat in 2009; looks at the right to food as a collective right, also addressing issues such as the legal foundation to the right to food, cultural dimensions and food sovereignty.

(c) *State of the World's Indigenous Peoples* (ST/ESA/328)[11] was launched on Thursday, 14 January 2010. This publication is a cooperative effort of independent experts working with the secretariat of the Permanent Forum on Indigenous Issues and the secretariat of the Department of Economic and Social Affairs. Worldwide launches took place in Mexico City, Bogota, Rio de Janeiro, Moscow, Brussels and at United Nations Headquarters in New York. Subsequent launches also took place in Sydney, Johannesburg and Manila.

(d) Desk reviews of selected Millennium Development Goals Reports, and Common Country Assessments/United Nations Development Assistance Frameworks, 2010. A review of the extent to which indigenous peoples' issues are included and promoted.[12]

[9] As of the writing of this report, there are 32 language versions of the Declaration available on the Forum website: www.un.org//esa/socdev/unpfii/en/declaration.html.

[10] See UNDP Human Development Reports website http://hdr.undp.org.

[11] United Nations publication, Sales No. 09.VI.13.

[12] All the material and publications are posted on www.un.org/esa/socdev/unpfii.

II. Promotion of integration and coordination of indigenous issues

43. The Forum secretariat and the Forum continue to work closely with the Inter-Agency Support Group on Indigenous Peoples' Issues. The Group includes 32 intergovernmental entities, including several United Nations agencies and international financial institutions. The Group plays a key role in disseminating the United Nations Declaration on the Rights of Indigenous Peoples throughout the United Nations system.

44. The 2009 meeting of the Support Group was jointly convened and hosted by UNEP and UN-Habitat, from 28 to 30 September 2009, in Nairobi. A main objective of the meeting was to provide an insight into the situation of indigenous peoples in Africa and how the United Nations system could assist in its improvement.

45. Fifteen agencies from the United Nations as well as four members of the Forum, Lars-Anders Baer, Margaret Lokawua, Hassan Id Balkassm and Liliane Mbela Muzangi attended. In addition, indigenous organizations were invited to make presentations, as were the Working Group on Indigenous Peoples of the African Commission on Human and Peoples' Rights and the Kenya National Commission on Human Rights. The presenters provided case studies on issues faced by indigenous peoples of Africa, including issues related to climate change, pastoralism and mobility challenges. The United Nations Resident Coordinator of Kenya also addressed the meeting.

46. During the meeting, participants provided feedback on the eighth session of the Forum and discussed preparations for the ninth session; discussed the establishment of a community of practice on indigenous peoples' issues; explored ways to ensure the participation of indigenous peoples in United Nations processes such as CCA/UNDAF and project formulation/implementation; and discussed their participation in UNPFII sessions through the newly established in-depth dialogues. The Inter-Agency Support Group on Indigenous Peoples' Issues will submit a reflection paper on development with culture and identity for the ninth session of the Forum.

47. In connection with the meeting of the Support Group, an official visit of members of the Forum was made to UNEP and UN-Habitat.

United Nations Development Group

48. Inter-agency work has continued aiming at the implementation of the United Nations Declaration on the Rights of Indigenous Peoples and of the UNDG Guidelines on Indigenous Peoples' Issues at the field level. An Action Plan was adopted for the roll-out of the UNDG Guidelines in 2008 and a Management Committee, composed of ILO, OHCHR, the secretariat of the Permanent Forum on Indigenous Issues, the Division for Social Policy and Development, the Department of Economic and Social Affairs, UNDP, UNFPA and UNICEF has been promoting this work. A major pillar of the Action Plan is capacity-building of the United Nations country teams. In June 2009, the secretariat of the Forum organized the first Training of Trainers Course on Indigenous Peoples' Issues, at the ILO Training Centre in Turin, and 18 United Nations system staff and indigenous experts were trained. During 2009 the training programme, based on a training module developed by the secretariat of the Forum, was delivered to three United Nations country teams, namely in Ecuador, Nepal and the Philippines. Following a letter to all United Nations Resident Coordinators about the availability of the training programme, the secretariat of the

Forum received considerable interest from a number of country teams. The Management Committee will promote an inter-agency effort to raise funds during 2010 for the implementation of the Action Plan, which is to be completed in 2013.

49. At the request of the Government of Ecuador and in cooperation with the United Nations country team in Ecuador, the Forum secretariat organized, on 19 October 2009, a meeting on indigenous issues and intercultural cooperation for government officials from some 15 ministries.

I. Indigenous children and youth

50. In 2009 UNFPA provided information in its reports to the Permanent Forum on its work with indigenous children and youth (E/C.19/2009/3). UNFPA has supported programmes in several countries, advocating for the inclusion of indigenous adolescents and youth in national youth policies, in line with the Permanent Forum's recommendations on indigenous children and youth. UNFPA is also active in promoting education and sexual reproductive health among indigenous youth and children. In its report to the Permanent Forum, UN-Habitat highlighted that three of the resolutions adopted at the twentieth and twenty-first sessions of the Governing Council of UN-Habitat (2005, 2007) make particular reference to challenges faced by indigenous communities in the urban areas. In resolution 20/1 "Youth and human settlements, the Governing Council expressed its special concern "that girls and young women and indigenous young peoples are particularly at risk of exclusion and discrimination, and that gender inequalities also negatively affect boys and young men". One of the goals of UN-Habitat is to adopt targeted policies, programmes, projects and budgets for the development of indigenous peoples, with particular emphasis on indigenous children and youth.

51. An international expert group meeting on indigenous children and youth in detention, custody, foster care and adoption will take place in Vancouver, Canada, on 4 and 5 March 2010, sponsored by the First Nations Summit and co-sponsored by the secretariat of the Permanent Forum on Indigenous Issues. This meeting will explore various issues under the theme, including the removal of indigenous children from families and communities as a result of past government policies to promote assimilation; policies on boarding and residential schools; the vastly disproportionate rates of indigenous children and youth currently incarcerated or under punitive detention; and the disproportionate numbers of indigenous children in foster care and adoption programmes.

52. There are ongoing joint efforts between the Forum secretariat and UNICEF on indigenous youth events that will take place in New York prior to the ninth session of the Permanent Forum.

J. Indigenous women

53. During its eighth session, the Forum conducted a review on the implementation of its previous recommendations on indigenous women. In preparation for the review, the Forum secretariat undertook an in-depth analysis of all Permanent Forum recommendations regarding indigenous women, as well as the activities undertaken to implement the recommendations, as presented in written reports to the Permanent Forum by the United Nations system, other intergovernmental organizations, Member

States and indigenous peoples' organizations. The Forum secretariat found that implementation was completed for 6 per cent of the recommendations, was ongoing for 48 per cent of the recommendations, while action on 46 per cent of recommendations had either not been initiated or reported. The analysis also explored factors that facilitated implementation of Forum recommendations, as well as constraints or obstacles to their implementation. The Forum secretariat has been working with the International Indigenous Women's Forum to co-sponsor a side-event at the fifty-fourth session of the Commission on the Status of Women. The event will focus on the perspectives of indigenous women regarding the implementation of the Beijing Platform for Action. Panellists will also discuss new opportunities for the protection of the human rights of indigenous women resulting from the adoption by the General Assembly of the United Nations Declaration on the Rights of Indigenous Peoples in 2007.

54. In May 2009, the Bureau of the Permanent Forum met to consider project proposals for funding under the Trust Fund for the Second International Decade of the World's Indigenous Peoples. A number of projects selected for funding focused specifically on the situation of indigenous women: a project in Uganda seeks to address the impact of female genital mutilation on Tepeth indigenous peoples; projects in Thailand and Kenya seek to improve environmental protection through the empowerment of women and the transfer of traditional knowledge from indigenous women to indigenous girl children; a Panamanian grantee seeks to improve the leadership of Kuna women; and projects in India focus on the situation of migrant women and on the health development of indigenous women.

55. Since 2005, the secretariat of the Forum has been working in cooperation with other United Nations bodies and indigenous women's organizations to implement the United Nations Development Account project, "Engaging indigenous women: local-government capacity-building through new technologies in Latin America" (the Plurinational State of Bolivia, Ecuador and Peru). Information on 2009 developments can be found under section A above on economic and social development.

56. Given the focus of the annual ministerial review at the 2010 session of the Economic and Social Council, the Vice-Chair of the Permanent Forum, Ms. Tonya Gonnella Frichner, made a special presentation at a meeting with the Bureau of the Council held on 29 January 2010.

III. United Nations Trust Fund on Indigenous Issues

57. In accordance with General Assembly resolutions 57/191 and 59/174 the Trust Fund on Indigenous Issues supports activities of the United Nations Permanent Forum on Indigenous Issues and projects and programmes undertaken during the Second International Decade of the World's Indigenous People.

58. In 2009, the Trust Fund on Indigenous Issues received contributions from the Plurinational State of Bolivia, Canada, Estonia, Finland, Mexico and IFAD, for funding of activities relating to the Forum. The total amount of contributions received in 2009 relating to the activities of the Forum amounted to $238,162.

59. During 2009, the Fund supported the travel of 21 Forum members to meetings that were of relevance to its mandate. These missions provided the opportunity for

members to raise awareness and promote integration and coordination of activities relating to indigenous issues.

60. In the light of the recently adopted United Nations Development Guidelines on Indigenous Peoples' Issues for United Nations country teams and the adoption of the Declaration on the Rights of Indigenous Peoples, the Fund supported the preparation and facilitation of a training workshop on indigenous peoples' issues for the Nepal United Nations country team (Kathmandu, 5-6 February 2009), and subsequent updating of the training module on indigenous peoples' issues, which was utilized at the training of trainers workshop in Turin.

61. The Fund supported the provision of translation services during the eighth session of the Forum for in-session documents and the provision of technical services related to special events held in conjunction with the session. The Fund also supported cultural events in connection with the commemoration of International Mother Earth Day, celebrated on 22 April.

62. In 2009, the Trust Fund on Indigenous Issues received a multi-year grant from IFAD (2009/2010) to support the advisory and information mandate of the Forum. Within the framework of the Plan of Action for the rolling out and implementation of the UNDG Guidelines on Indigenous Peoples' Issues, the grant is to support the Forum project on capacity development at the country level for improved dissemination and implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

63. In this regard, during 2009, the Trust Fund on Indigenous Issues supported the travel and tuition of five indigenous participants to a training of trainers on indigenous peoples' issues course at the ILO International Training Centre, Turin, and a facilitation team to training workshops on indigenous peoples in the Philippines and Ecuador.

64. In connection with the above-mentioned multi-year grant, during 2010, the Trust Fund on Indigenous Issues will provide for capacity development for United Nations country teams and government agencies and indigenous peoples' organizations under the United Nations Development Group Plan of Action for the roll-out of the UNDG Guidelines on Indigenous Peoples' Issues. This work will continue in 2011.

65. In connection with the Second International Decade of the World's Indigenous People, in 2009, the Trust Fund on Indigenous Issues received contributions from Algeria, Chile, Denmark, Estonia, Germany and Japan for funding programmes and projects under the Second Decade. The total amount of funds received for the activities relating to the Second International Decade of the World's Indigenous People was $161,683. The Bureau of the United Nations Permanent Forum on Indigenous Issues, acting as the advisory group, held a meeting in May 2009 to review all the project proposals received. At that meeting, 19 projects were approved by the advisory group and endorsed by the Under-Secretary-General for Economic and Social Affairs, acting as the Coordinator of the Second International Decade.

IV. Second International Decade of the World's Indigenous People

66. The year 2010 will mark the midterm of the Second International Decade of the World's Indigenous People. Hence, and in accordance with resolution 63/161, paragraph 2, the General Assembly requested the Secretary-General, in consultation with Member States, relevant United Nations agencies and mechanisms, and other stakeholders including indigenous peoples' organizations, to submit a midterm assessment report to the General Assembly at its sixty-fifth session.

67. On 1 July 2009, the secretariat of the Permanent Forum on Indigenous Issues, Division for Social Policy and Development, Department of Economic and Social Affairs, issued a call for submission of information regarding the implementation of the Second Decade to Member States, United Nations agencies and intergovernmental organizations and to indigenous peoples' organizations worldwide. The objectives of the midterm assessment are to identify the degree of implementation and progress made regarding the goal and objectives of the Second Decade, to identify future key priority areas for strengthened action and possible strategies to promote these priority areas and to identify examples of "good practice" in (a) the promotion of the Second Decade and (b) the specific implementation of the goal and objectives of the Second Decade.

68. By January 2010, the secretariat of the Forum received contributions from 13 Member States, 11 indigenous peoples' organizations and 17 United Nations agencies and other intergovernmental organizations.

69. During its eighth session, the Forum conducted UNPFII a review of the degree of implementation of its recommendations on the Second Decade. The findings illustrated that a common challenge that various actors face in the implementation of the Second Decade is related to human and financial resources. It also concluded that even though many Member States and intergovernmental organizations do not specifically refer to the goal and objectives of the Second Decade, their programmes and actions are in general aligned with them (see E/C.19/2009/9).

70. Responding to the findings, the United Nations Permanent Forum on Indigenous Issues called for active participation by Member States, United Nations agencies and indigenous peoples in the midterm evaluation of the Second Decade. It also recommended that Member States and United Nations agencies apply the rights affirmed in the United Nations Declaration, identified as one of the major achievements of the Second Decade and in particular the Decade's objective on free, prior and informed consent of indigenous peoples.[2]